

Minutes - December 4, 2006

EXECUTIVE SESSION

It was moved by Alderman Gattuso and seconded by Alderman Poteraske at 7:10 P.M. to move into Executive Session for the purpose of discussing Purchase or Lease of Real Estate as prescribed by Section 2(c)(5) and Collective Bargaining Section 2(c)(2) of Public Act 88-261.

Roll Call: Ayes: Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Biehl

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

It was moved by Alderman Gattuso and seconded by Alderman Marchese at 7:30 P.M. to recess and move into Open Session.

Roll Call: Ayes: Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Biehl

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

DECEMBER 4, 2006

1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:31 P.M. by Mayor Weaver.

2. PLEDGE OF ALLEGIANCE

Mayor Weaver led the Council and audience in the Pledge of Allegiance.

3. ROLL CALL — The Roll Call of Aldermen by Clerk Coleman was as follows:

Present: William R. Durkin Sylvia McIvor Carolyn A. Gattuso John F. Poteraske, Jr. Joseph A. Marchese Kathleen Moesle Weaver

Absent: Richard A. Biehl

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk John B. Murphey, City Attorney Bryon D. Vana, City Administrator Robert Pavelchik, Chief of Police Daniel Gombac, Director of Community Development/Public Works

4. DECLARATION OF A QUORUM — There being six Aldermen present, Mayor Weaver declared a quorum.

5. APPROVAL OF MINUTES – November 20, 2006

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve the Minutes of the Regular Meeting of November 20, 2006, as presented.

Roll Call: Ayes: Gattuso, Marchese, Mclvor, Poteraske, Weaver

Abstain: Durkin

Nays: None

Absent: Biehl

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Mclvor: * indicated that several area residents said ‘thank you’ for the installation of the YIELD sign at Havens & Stewart. * spoke with Jim Jankowski regarding traffic and safety concerns at the Speedway gas station located at Plainfield and Lemont Roads; since the Speedway is within DuPage County jurisdiction, she sent the issue to the County’s engineers for consideration. * conversed with Representative Bennington regarding safety of crossing pedestrians and bikeway traffic at the intersection of Plainfield and Lemont Roads.

Mayor Weaver received email, which she submitted for the record, from: * Phyllis Lentz, 7707 Sussex Creek Drive, did not support the development of a downtown area on Cass Avenue between 75th Street & Plainfield Road. * Larry Stanuch wrote on behalf of his mother, Eileen; they were very pleased with the driveway replacement program and said thanked everyone involved.

7. MAYOR’S REPORT

Mayor Weaver...

... reminded everyone that the Holiday Home Decorating Contest was underway; she asked residents to nominate fantastically decorated homes. Contest nominations could be awarded a prize and winners would be recognized at the December 18th Council meeting. The Holiday Trolley was scheduled to view decorations on December 27, 28 and 29 at 6:30 P.M. and 8:00 P.M.; she noted that reservations were required and could be made by contacting City Hall.

... commented that she was privileged to spend time with Fairview School’s 4th Graders; she displayed a T-shirt that the students presented to her.

... read the Mayoral Proclamation that recognized the Hinsdale South High School Girls Class AA Volleyball Team who were the West Suburban Gold Conference Champions, Regional Champions,

Sectional Champions, Super-Sectional Champions, Elite Eight, and tied for 5th Place at State; she proclaimed December 8, 2006 as "2006 Hinsdale South High School Volleyball Team Day".

8. CITY CLERK'S REPORT

Clerk Coleman...

... announced that the Planning and Zoning Commission meeting scheduled for December 6th had been cancelled.

... invited everyone to join Mayor Weaver for coffee on Saturday, December 16th, from 9:00 until 10:00 A.M. at Carmelite Carefree Village located at 8419 Bailey Road. ... thanked the Darien Historical Society for the great tree lighting celebration held on December 3rd.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana indicated that Public Works Water/Streets Committee conducted a rescheduled meeting on November 29th; an item on the agenda was a request from residents in Norman Courts and Sawmill Creek for the City to assume ownership and maintenance of the private streets. He said that the Committee would review the City's current policy regarding private and public streets.

10. DEPARTMENT HEAD REPORT

Community Development/Public Works Director Daniel Gombac...

... spoke about the recent snow storm that occurred on December 1st that included freezing rain and snow; he provided information about the crew, streets, and vehicles utilized for plowing.

... reminded residents to check their mailboxes for structural integrity. He said that if a mailbox was damaged during snowplowing, residents should contact Public Works at 630) 852-5000 Ext. 206.

... requested that parents speak with their children in regard to safety issues and the dangers related to playing in mounds of snow. He asked that residents stand clear or away from on-coming snowplows clearing the streets.

... indicated that the completion of the DuPage County Bike Path along Clarendon Hills Road was on hold until Spring 2007 due to winter.

... noted that sealed bids would be opened on December 8th for the City's street sign replacement project.

... commented that steel would be delivered during the first week of January for the new water tower.

... said that on January 1 a new law called the 'Carbon Monoxide Alarm Detector Act' would be effective; basically, the act mandated that a device should be placed every 15' in rooms utilized for sleeping. He suggested numerous safety tips for residents to avoid carbon monoxide poisoning.

Alderman Marchese thanked the Public Works crews for their plowing efforts. He said that carbon monoxide detectors had a life expectancy of approximately five years; detectors contain a date and, if needed, should be replaced on or before the detector was five years old.

Clerk Coleman inquired about the driveway problem at 7033 Clarendon Hills Road; Director Gombac stated that the problem had been rectified with DuPage County. The driveway would be removed by the City and DuPage County would replace the driveway.

Alderman Mclvor asked about the delayed steel delivery for the water tower project; she confirmed that the price would not be affected by the delay. Director Gombac said that the price was locked in because it was the contract price.

11. TREASURER'S REPORT

A. WARRANT NUMBER 06-07-14

In Treasurer Monaghan's absence, Administrator Vana requested approval of Warrant Number 06-07-14.

It was moved by Alderman Poteraske and seconded by Alderman Gattuso to approve payment of Warrant Number 06-07-14 in the amount of \$62,163.61 from the General Fund; \$98,602.72 from the Water Fund; \$8,062.92 from the Impact Fee; \$4,053.14 from the Motor Fuel Tax Fund; \$2,053.60 from the Darien Area Dispatch Center; \$105,326.78 from the General Fund Payroll for the period ending 11/23/06; \$22,253.43 from the Water Fund Payroll for the period ending 11/23/06; \$23,807.91 from the D.A.D.C. Fund Payroll for the period ending 11/23/06; for a total to be approved of \$327,324.11.

Roll Call: Ayes: Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: Biehl

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — No report.

Planning/Development Committee — No report.

Public Works Water/Streets Committee — No report. 13. QUESTIONS AND COMMENTS — AGENDA RELATED

There was no Questions or Comments to come before the City Council.

14. OLD BUSINESS

There was no Old Business to come before the City Council.

15. CONSENT AGENDA

It was moved by Alderman Marchese and seconded by Alderman Gattuso to approve by Omnibus Vote the following items on the Consent Agenda:

A. ORDINANCE NO. O-46-06 AN ORDINANCE LEVYING TAXES FOR GENERAL AND SPECIAL CORPORATE PURPOSES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF MAY, 2006, AND ENDING ON THE THIRTIETH DAY OF APRIL, 2007, FOR THE CITY OF DARIEN, ILLINOIS

B. ORDINANCE NO. O-47-06 AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING ON THE FIRST DAY OF MAY, 2006, AND ENDING ON THE THIRTIETH DAY OF APRIL, 2007, FOR THE CITY OF DARIEN SPECIAL SERVICE AREA NUMBER ONE KNOWN AS TARA HILL

C. ORDINANCE NO. O-48-06 AN ORDINANCE GRANTING A MINOR AMENDMENT TO A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT (CROSSROADS OF DARIEN PUD)

D. ORDINANCE NO. O-49-06 AN ORDINANCE APPROVING A REZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-2 SINGLE FAMILY RESIDENTIAL, FINAL PLAT OF SUBDIVISION, INCLUDING FINAL ENGINEERING PLANS, AND VARIATIONS FROM THE ZONING ORDINANCE AND WAIVERS FROM THE SUBDIVISION REGULATIONS (PZC 2006-17: 2021 MANNING ROAD, DERUITER SUBDIVISION)

E. ORDINANCE NO. O-50-06 AN ORDINANCE AUTHORIZING THE EXECUTION OF THE RECAPTURE AGREEMENT BETWEEN THE CITY OF DARIEN AND BALTIC BUILDERS DEVELOPMENT, L.L.C (ARVYDAS SUBDIVISION: 7529 MAIN STREET)07, FOR THE CITY OF DARIEN, ILLINOIS

F. CONSIDERATION OF A MOTION FOR COUNCIL TO DIRECT PLANNING AND ZONING COMMISSION TO CONDUCT A PUBLIC HEARING IN REGARD TO A PROPOSED TEXT AMENDMENT TO THE ZONING ORDINANCE (ADULT DAY CARE)

G. ORDINANCE NO. O-52-06 AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY LOCATED IN THE CITY OF DARIEN BUSINESS DEVELOPMENT DISTRICT

Roll Call: Ayes: Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: Biehl

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 1-5-6 OF THE DARIEN CITY CODE TO AUTHORIZE ELECTRONIC PARTICIPATION AT CITY COUNCIL MEETINGS

It was moved by Alderman Marchese and seconded by Alderman Mclvor to approve

ORDINANCE NO. O-51-06 AN ORDINANCE AMENDING SECTION 1-5-6 OF THE DARIEN CITY CODE TO AUTHORIZE ELECTRONIC PARTICIPATION AT CITY COUNCIL MEETINGS as presented.

Mayor Weaver informed everyone that Council met earlier as a Committee-of-the-Whole to discuss the item. Administrator Vana noted that it was a State of Illinois requirement effective January 1 that the City was considering.

Roll Call: Ayes: Durkin, Marchese, Mclvor, Weaver

Nays: Gattuso, Poteraske

Absent: Biehl

Results: Ayes 4, Nays 2, Absent 1 MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Mclvor said that residents in Farmingdale Village noticed ComEd activity on Stewart near Havens due to numerous cable faults. She indicated that ComEd would be working there for the next couple of weeks; ComEd was replacing approximately 2,000 feet of cable and had crew on-site 24/7. She urged residents to contact Scott Coren or Bryon Vana if they had any electrical difficulties. Alderman Poteraske spoke about another outage and the homes affected.

Jeff Klein, 9 S 307 Florence of unincorporated Downers Grove, stated that he was an attorney and that his sister-in-law was issued a ticket by Officer Gross approximately 1 – 1-1/2 months ago. He asked for a meeting with the Mayor and asked her to investigate the matter; she agreed. Mr. Klein submitted documentation for review.

Reverend Mark Powell, 7230 Exner Road, stated that he was the Executive Director of DuPage County Conservatives. He complimented the recent snowplowing. He indicated that there was a crisis within the schools for education funding and that Darien residents recently voted NO on referenda for increased school taxes. He said that all governmental agencies needed to conserve resources and spend wisely. The DuPage County Conservatives wanted to work with the various Darien school districts to find the needed resources for the children. He asked that Mayor Weaver work with and call an education summit with the superintendents of Darien school districts to find sufficient funding. Reverend Powell stated that over the past 20 years, he was an Alderman, a Vice Chair of a County Planning Commission, and worked with staff on Kansas & Michigan Houses of Representatives. He provided his cell number: 630) 390-8337 and said that he was willing to serve on committees to respond to this crisis.

18. ADJOURNMENT

There being no further business to come before the City Council, it was moved by Alderman Marchese and seconded by Alderman Gattuso to adjourn.

Mayor Weaver indicated that Council would reconvene into Executive Session for the purpose of discussing Collective Bargaining Section 2(c)(2) of Public Act 88-261.

Roll Call: Ayes: Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: Biehl

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

The City Council meeting adjourned at 8:25 P.M.

Mayor _____ City Clerk jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 12-04-06.

Minutes of 12-04-06 CCM